

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA      §  
                                        §  
                                        §  
v.                                    §      Criminal No. H-12-503  
                                        §  
JASON DANIEL GANDY            §

**GOVERNMENT'S NOTICE OF INTENT  
TO PRESENT EXPERT TESTIMONY**

COMES NOW the United States of America, by Ryan K. Patrick, the United States Attorney, and through Sherri L. Zack, Assistant United States Attorney for the Southern District of Texas, and files this Notice of Intent to Present Expert Testimony pursuant to Federal Rule of Criminal Procedure 16(a)(1)(G).

I.

Trial on this matter is currently scheduled for March 5, 2018.

II.

1. Notice is hereby given that the Government intends to present the expert testimony of Special Agent Jeffery G. Chappell – Computer Forensics Examiner - United States Homeland Security Investigations during its case in chief. A copy of Special Agent Chappell's' *Curriculum Vitae* was provided to defense counsel.

2. Chappell, relative to the investigation of the crimes charged found on the Acer laptop and the HTC phone seized at the airport pursuant to border searches on July 20, 2012, would, in substance, testify to the following:

- 1) The process of forensically examining and searching a computer, computer media and/or cell phone for child pornography and other relevant evidence to the crimes charged;
- 2) The tests and software programs conducted and used in this case; and
- 3) The results of the forensic examinations conducted, including but not limited to, the number of child pornography images found, their location, file paths and creation dates, the program information contained on the computer, computer media, and cellphone, file and directory structure, EXIF data, and the presence of any subscriber or user identifying information located on same.

In essence, the substance of Chappell's expected testimony will be consistent with the conclusions summarized in his forensic reports provided in discovery.

Additionally, Chappell would testify concerning evidence of ownership, user activity, and the set-up of the devices.

Respectfully Submitted,

RYAN K. PATRICK  
UNITED STATES ATTORNEY

By: s/ Sherri L. Zack  
Sherri L. Zack  
Assistant United States Attorney  
1000 Louisiana, Suite 2300  
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**Certificate of Service**

I hereby certify that a true and correct copy of the above notice was sent via ECF to the attorney for the defendant on this 8th day of January 2018.

s/ Sherri L. Zack  
Sherri L. Zack  
Assistant United States Attorney